

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Declaration for Patent Application

As a named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated next to my name;

I believe I am the original, first and sole inventor (if only one name is listed) or an original, first and joint inventor (if plural names are listed in the signatory page(s) commencing at page 3 hereof) of the subject matter which is claimed and for which a patent is sought on the invention entitled

BILIARY SPHINCTER SCISSORS

**COPY FOR CONTINUING  
APPLICATION**

the specification of which (check one)

☐ is attached hereto.

☒ was filed on July 21, 2000 as United States Application

Number or PCT International Application No. 09/621,210

and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is known by me to be material to patentability as defined in 37 C.F.R. §1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed:

<u>Prior Foreign Application(s)</u>			Priority Not Claimed	Certified Copy Filed?	
				YES	NO
_____ (Number)	_____ (Country)	_____ (Day/Month/Year filed)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ (Number)	_____ (Country)	_____ (Day/Month/Year filed)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ (Number)	_____ (Country)	_____ (Day/Month/Year filed)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

\_\_\_\_\_  
(Application Number)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Application Number)

\_\_\_\_\_  
(Filing Date)

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information known by me to be material to patentability as defined in 37 C.F.R. 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)	(Filing date)	(Status: patented, pending, abandoned)
(Application Serial No.)	(Filing date)	(Status: patented, pending, abandoned)
(Application Serial No.)	(Filing date)	(Status: patented, pending, abandoned)
(Application Serial No.)	(Filing date)	(Status: patented, pending, abandoned)

**COPY FOR CONTINUING APPLICATION**

As a named inventor, I hereby appoint the attorneys and/or agents associated with  
**Hamilton, Brook, Smith & Reynolds, P.C., Two Militia Drive, Lexington, Massachusetts 02421-4799**  
**Customer No. 21005,**

and \_\_\_\_\_,

to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Please send correspondence to:

☒ Customer No. 21005  
**HAMILTON, BROOK, SMITH & REYNOLDS, P.C.**  
Two Militia Drive  
Lexington, MA 02421-4799

or

☐ Address as follows:

Direct telephone calls to: Thomas O. Hoover, Esq. Telephone No.: 781-861-6240

Direct facsimiles to: Thomas O. Hoover, Esq. Facsimile No.: 781-861-9540

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole

or first inventor Frederick W. Heiss

Inventor's Signature Frederick W. Heiss Date 9/5/00

Residence 112 Bartlett Hill

Concord, Massachusetts 01742

Citizenship USA

Post Office Address same as above

::ODMA\MHODMA\MANAGE;158124;1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Frederick W. Heiss  
Application No.: 09/621,210 Group: 3736  
Filed: July 21, 2000 Examiner: Not assigned  
For: BILIARY SPHINCTER SCISSORS

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231	
on <u>7/10/01</u>	<u>Amgo</u>
Date	Signature
<u>Ann M. Giso</u>	
Typed or printed name of person signing certificate	

COPY FOR CONTINUING  
APPLICATION

TRANSMITTAL OF REVOCATION OF POWER OF ATTORNEY  
AND APPOINTMENT OF NEW ATTORNEYS

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Enclosed herewith is an executed Revocation of Power of Attorney and Appointment of New Attorneys and/or Agents and Change of Correspondence Address, for filing in the captioned application.

Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Robert T. Conway  
Robert T. Conway  
Registration No.: 33,859  
Tel.: (781) 861-6240  
Fax: (781) 861-9540

Lexington, MA 02421-4799  
Date: July 10, 2001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Frederick W. Heiss  
Application No.: 09/621,210 Group: 3736  
Filed: July 21, 2000 Examiner: Not assigned  
For: BILIARY SPHINCTER SCISSORS

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231	
on <u>7/10/01</u>	<u><i>Ann M. Giso</i></u>
Date	Signature
<u>Ann M. Giso</u>	
Typed or printed name of person signing certificate	

COPY FOR CONTINUING  
APPLICATION

REVOCATION OF POWERS OF ATTORNEY  
AND APPOINTMENT OF NEW ATTORNEYS AND/OR AGENTS  
AND CHANGE OF CORRESPONDENCE ADDRESS

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

I, Frederick W. Heiss, am the inventor and owner of the entire right, title and interest in the above-referenced patent application. I hereby appoint the attorneys and/or agents associated with:

Bowditch & Dewey, LLP  
161 Worcester Road  
Framingham, MA 01701-9320  
Thomas O. Hoover, Reg. 32,470  
Monica Grewal, Reg. 40,056

to prosecute the identified applications/patents and any divisions or continuations thereof and to conduct all business in the United States Patent and Trademark Office. All previously granted Powers of Attorney are hereby revoked.

All correspondence should be sent to Thomas O. Hoover, Esq., Bowditch & Dewey, LLP, 161 Worcester Road, Framingham, Massachusetts 01701-9320. Please direct all telephone calls to Thomas O. Hoover, Esq. at (508) 879-5700, and all facsimile communications to (508) 872-1492.

Respectfully submitted,

COPY FOR CONTINUING  
APPLICATION

By

  
Frederick W. Heiss

Date

7/6/01